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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)
7784-000380/US/DVA (01-679A 014280)

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Application Number
10/738,342

Filed
December 17, 2003

First Named Inventor
Guy Lambiaso

On May 7, 2007

Signature

Art Unit
3729

Examiner
Rick K. Chang

Typed or printed name Jeffrey H. Urian

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 46,232.

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Signature

Jeffrey H. Urian

Typed or printed name

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Telephone number

May 7, 2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/738,342
Filing Date: December 17, 2003
Applicant: Guy Lambiaso
Group Art Unit: 3729
Examiner: Rick K. Chang
Title: METHOD OF INTERCONNECTING CABLES FOR
CENTER OF WIDE BODY AIRCRAFT
Attorney Docket: 7784-000380/US/DVA (01-679A 014280)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REASONS FOR REQUEST FOR REVIEW

**I. THE REJECTION OF INDEPENDENT CLAIMS 1, 18, 29, AND 35 UNDER 35 U.S.C. § 103 ARE
IMPROPER BECAUSE THE EXAMINER HAS NOT MADE A PRIMA FACIE CASE OF OBVIOUSNESS**

A. In rejecting independent claim 1, the Examiner has failed to address the
claim limitation of the support member having at least one through opening.

In rejecting independent claim 1 as being obvious over the Protzmann reference, the Examiner has failed to identify a through opening in the Protzmann reference as called for in claim 1. Rather, the Examiner has attempted to equate an access opening in electrical socket 12 that leads to a closed interior cavity within socket 12 as being a through opening. The closed interior cavity, however, is a part of electrical socket 12

and the opening thereto merely allows access to the closed interior cavity. The opening does not extend through socket 12. Rather, the access opening is merely that – just an opening. An opening that does not extend through socket 12 cannot be a through opening as called for in claim 1 and as stated in Applicant's April 3, 2007 Response. See page 12, fifth paragraph – page 13, second paragraph of Applicant's April 3, 2007 Response.

Thus, Applicant respectfully submits that a Prima Facie Case of Obviousness has not been made by the Examiner because the limitation of a "through opening" is not present in the prior art cited by the Examiner and this limitation is not met. Accordingly, withdrawal of the rejection of claim 1 and the claims that depend therefrom is requested.

B. In rejecting independent claim 18, the Examiner has not made a Prima Facie Case of Obviousness because the Examiner has failed to identify an offset portion of a cover plate that extends along an edge of a cover plate as called for in claim 18.

Rather, the Examiner has identified a cylindrical sphere-like component 25 in the Protzmann reference. A cylindrical sphere-like component, however, is not a plate. Furthermore, the alleged offset portion (component identified as 25A) in the Protzmann reference is not an offset portion and is not along an edge of the cover plate. Rather, a component 25A is an opening which is disposed in a relatively central portion of the cylindrical sphere-like component 25. Thus, opening 25A is not an offset portion and does not extend along an edge of component 25. See at least paragraphs 1 and 2 on page 14 of Applicant's April 3, 2007 Response.

Thus, Applicant respectfully submits that the Examiner has failed to establish a Prima Facie Case of Obviousness of independent claim 18 because the Examiner has failed to identify a cover plate and an offset portion that extends along an edge of the cover plate as called for. Accordingly, withdrawal of the rejection of claim 18 and the claims that depend therefrom is requested.

C. In rejecting independent claim 29, the Examiner has failed to address the limitation that the first and second cables are connected together on opposite sides of the support member as called for in claim 29.

Claim 29 calls for the “connecting a second electrical cable . . . to said first cable from an opposite side of said support member.” This claim limitation is not addressed in the Final Office Action mailed on February 5, 2007, as Applicant cannot find any reference to this subject matter of claim 29. Additionally, the Protzmann reference does not disclose electrical cables being connected together from opposite sides of the support member. Rather, the Protzmann reference discloses that electrical cables can be attached to a side of duplex receptacle 11 and to a face of duplex receptacle 11 through plug 19. The side and face, however, are not opposite sides. Rather, the side and face are adjacent sides. Adjacent sides are not opposite sides. See at least paragraphs 2 and 3 on page 15 and paragraph 1 on page 16 of Applicant’s April 3, 2007 Response.

With the Examiner failing to address the limitations in claim 29, it is respectfully submitted a Prima Facie Case of Obviousness has not been established. Thus,

withdrawal of the rejection of claim 29 and the claims that depend therefrom is requested.

D. In rejecting independent claim 35, the Examiner has failed to address the limitation of cables from different sides of the panel being connected together on a same side of a support member as called for in claim 35.

Specifically, in claim 35, a second cable that extends from a second side of an opening in the panel is connected to a first cable (which extends from a first side of the opening) so that the first and second cables are connected to one another on a same side of the support member. In rejecting this claim, the Examiner has failed to make any statement, in the Final Office Action mailed on February 5, 2007, whatsoever about the cables coming from different sides of the panel. Rather, the Examiner has merely stated it would be obvious to plug in another appliance to one of the plugs in duplex receptacle 11. That statement, however, fails to address the claim limitation that the cables come from different sides of the panel.

Moreover, in the Protzmann reference, another appliance plugged into duplex receptacle 11 will clearly come from a same side of the panel. There is no access to an opposite side of the duplex receptacle 11 from which a cable can extend and be plugged into the face of the duplex receptacle. See paragraph 3, page 16 and paragraphs 1, 2, and 3 on page 17 of Applicant's April 3, 2007 Response.

Thus, it is respectfully submitted that the Examiner has failed to make a Prima Facie Case of Obviousness because he has not addressed the limitation that cables from different sides of the panel are connected together on a same side of a support


member. Accordingly, withdrawal of the rejection of claim 35 and the claims that depend therefrom is requested.

CONCLUSION

The Examiner has failed to address all of the limitations in independent claims 1, 18, 29, and 35 in the Office Action. With the Examiner failing to address each limitation of each of the independent claims, the Examiner has not met the legal requirement for a Prima Facie Case of Obviousness Rejection. The failure to make a Prima Facie Case of Obviousness renders the instant rejections improper. Accordingly, the instant rejections are in clear error and withdrawal of the instant rejections is requested.

Respectfully submitted,

Dated: May 7, 2007

By: 
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